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DRAFTED BY EB:CBA:BP:HJWINTER:JB

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REGISTER OF COPYRIGHTS-MR. GOLDMAN

COMMERCE/BIC - MR. LIGHTMAN (SUB)

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TO AMEMBASSY MOSCOW

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E.O. 11652, N/A

TAGS: EIND, UR, SZ

SUBJECT: WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)
NOMINATIONS

REFERENCE: STATE'S 149711, JULY 30, 1973; STATE'S 241253,
SEPTEMBER 19, 1968

1. DR. ARPAD BOGSCH, CURRENTLY FIRST DEPUTY DIRECTOR
GENERAL OF WIPO, WAS PRESENTED AS USG'S CANDIDATE FOR
DIRECTOR GENERAL IN NOTE DATED JULY 2 TO INCUMBENT
DIRECTOR GENERAL OF WIPO, PROFESSOR G. H. C. BODENHAUSEN.
CONCLUDING PARAGRAPH OF THIS NOTE STATES: QUOTE: THE
UNITED STATES GOVERNMENT ATTACHES GREAT SIGNIFICANCE TO
THIS APPOINTMENT BECAUSE IT ENVISAGES THE WORLD INTELLEC-
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TUAL PROPERTY ORGANIZATION AS BECOMING INCREASINGLY

IMPORTANT IN THE INTELLECTUAL PROPERTY FIELD IN TERMS OF THE INTERESTS OF DEVELOPING AS WELL AS DEVELOPED COUNTRIES. THIS GOVERNMENT THEREFORE IS MOST PLEASED TO SUBMIT AND STRONGLY SUPPORT DR. ARPAD BOGSCH AS ITS CANDIDATE FOR THE POST OF DIRECTOR GENERAL OF WIPO. END QUOTE.

2. DEADLINE FOR COMMUNICATION OF NAMES OF CANDIDATES FOR POST OF DIRECTOR GENERAL WAS JULY 31, 1973. INCUMBENT DIRECTOR GENERAL (BODENHAUSEN) INFORMED HARVEY WINTER (EB/CBA/BP) IN GENEVA ON JULY 30 THAT HE INTENDED TO COMMUNICATE NAMES OF ANY CANDIDATES TO MEMBER STATES OF

VARIOUS WIPO TREATIES AFTER JULY 31 DEADLINE. FYI: HE ALSO INFORMED WINTER THAT THERE WERE NO OTHER CANDIDATES FOR THE POST OF DIRECTOR GENERAL AS OF JULY 30 AND IT WAS UNLIKELY THAT THERE WOULD BE. IF THAT WERE THE CASE, BODENHAUSEN SAID THAT HE WOULD SEND OUT USG NOTE ON BOGSCH WITH HIS PERSONAL ENDORSEMENT FOR BOGSCH'S CANDIDACY. END FYI.

3. OTHER THAN MOROZOV'S CONTENTION THAT BOGSCH PROMISED TO BACK NOMINATION OF A SOVIET TO FIRST DEPUTY DIRECTOR GENERAL OF WIPO, WE HAVE NO OTHER INFORMATION ON THIS POINT. HOWEVER, IT IS WIDELY KNOWN THAT SOVIETS ARE VERY MUCH INTERESTED IN HAVING A SOVIET NATIONAL AS A WIPO DEPUTY DIRECTOR GENERAL. THUS, AS FAR BACK AS 1968 WHEN POST OF SECOND DEPUTY DIRECTOR (LATER DEPUTY DIRECTOR GENERAL) WAS TO BE FILLED, ONE OF TWO LEADING CANDIDATES WAS A SOVIET NATIONAL. FOR VARIOUS REASONS SET FORTH IN THE DEPARTMENT'S 241253 (DATED SEPTEMBER 19, 1968) WE INDICATED THAT QUOTE UNDER NORMAL CIRCUMSTANCES WE WOULD MOST LIKELY SUPPORT SOVIET CANDIDATE. HOWEVER, RECENT EVENTS IN CZECHOSLOVAKIA RAISE SIGNIFICANT POLITICAL QUESTIONS CONCERNING SOVIET CANDIDACY AT THIS TIME. END QUOTE. ULTIMATELY SOVIET CANDIDATE (CHERVIKOV) WITHDREW HIS CANDIDACY BECAUSE OF WORLD-WIDE REACTION TO SOVIET INTERVENTION IN CZECHOSLOVAKIA. A SWISS NATIONAL (JOSEPH VOYAME) WAS THEN APPOINTED TO THE POST.

4. AS OF THIS TIME WE HAVE NOT YET DEVELOPED A USG POSITION ON POSSIBLE CANDIDACY OF A SOVIET NATIONAL FOR ONE OF THE DEPUTY DIRECTOR GENERAL POST. HOWEVER, OUR INITIAL REACTION WOULD BE TO FAVOR SUCH A CANDIDACY FOR FOLLOWING REASONS: (A) SINCE SOVIET ADHERENCE IN 1965 TO PARIS CONVENTION FOR THE PROTECTION OF INDUSTRIAL PROPERTY, WHICH IS ONE OF MAJOR WIPO CONVENTIONS, COOPERATION BETWEEN U.S. AND U.S.S.R. ON BILATERAL AND MULTILATERAL PROJECTS HAS BEEN VERY GOOD. (B) THERE HAVE BEEN THREE

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EXCHANGES OF PATENT LICENSING EXPERTS BETWEEN THE TWO COUNTRIES WITH A VIEW TO STIMULATING PATENT LICENSING AGREEMENTS. ONE OF THESE HIGH-LEVEL U.S. GROUPS HEADED BY DR. BETSY ANCKER-JOHNSON, ASSISTANT SECRETARY OF COMMERCE FOR SCIENCE AND TECHNOLOGY, HAS JUST RETURNED FROM THE SOVIET UNION (JULY 10-28) AND A SIMILAR HIGH-LEVEL SOVIET GROUP WILL BE COMING TO THE U.S. THIS FALL. (C) ONE OF THE MOST IMPORTANT MULTILATERAL WIPO PROJECTS IN RECENT YEARS HAS BEEN PATENT COOPERATION TREATY (PCT) WHICH WAS NEGOTIATED IN 1970 IN WASHINGTON LARGELY AS RESULT OF U.S. INITIATIVE. U.S.S.R. HAS BEEN

MOST COOPERATIVE WITH RESPECT TO PREPARATORY MEETINGS, DIPLOMATIC CONFERENCE, AND WORK OF PCT INTERIM COMMITTEES SINCE PCT IS NOT YET IN FORCE. FURTHER, SOVIET COMMITTEE ON INVENTIONS AND DISCOVERIES (I.E., PATENT OFFICE) IS REGARDED AS ONE OF POSSIBLE INTERNATIONAL SEARCHING AUTHORITIES, AS IS U.S. PATENT OFFICE, AND THIS WILL INVOLVE CONTINUING COOPERATION BETWEEN THE TWO OFFICES.

5. APPOINTMENT OF DEPUTY DIRECTORS GENERAL WILL BE MADE IN ACCORDANCE WITH ARTICLE 9 ("INTERNATIONAL BUREAU") OF CONVENTION ESTABLISHING THE WORLD INTELLECTUAL PROPERTY ORGANIZATION WHICH ENTERED INTO FORCE ON APRIL 26, 1970 AND WAS RATIFIED BY THE U.S. ON MAY 25, 1970. PERTINENT PARAGRAPHS OF ARTICLE 9 ARE FOLLOWING: QUOTE: (2) THE INTERNATIONAL BUREAU SHALL BE DIRECTED BY THE DIRECTOR GENERAL, ASSISTED BY TWO OR MORE DEPUTY DIRECTORS GENERAL. (7) THE DIRECTOR GENERAL SHALL APPOINT THE STAFF NECESSARY FOR THE EFFICIENT PERFORMANCE OF THE TASKS OF THE INTERNATIONAL BUREAU. HE SHALL APPOINT THE DEPUTY DIRECTORS GENERAL AFTER APPROVAL BY THE COORDINATION COMMITTEE. LIMITED OFFICIAL USE

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END QUOTE.

6. IT IS DEPARTMENT'S UNDERSTANDING THAT, IN ACCORDANCE WITH PARAGRAPH (7) OF ARTICLE 9, THE DIRECTOR GENERAL SELECTS HIS DEPUTY DIRECTORS GENERAL, SUBJECT TO APPROVAL BY THE COORDINATION COMMITTEE. SELECTION AND APPROVAL OF DEPUTY DIRECTORS GENERAL WOULD TAKE PLACE AFTER ELECTION OF NEW DIRECTOR GENERAL AT WIPO ADMINISTRATIVE MEETINGS IN NOVEMBER 1973.

ACTION.

7. EMBASSY REQUESTED INFORM Y. E. MAKSAREV, CHAIRMAN, OR E. I. ARTEMIER, DEPUTY CHAIRMAN, COMMITTEE ON INVENTIONS AND DISCOVERIES, THAT USG'S CANDIDATE FOR WIPO DIRECTOR GENERAL IS DR. ARPAD BOGSCH. MATERIAL FROM PARAGRAPH 1

MAY BE USED AS APPROPRIATE. IF SOVIETS RAISE QUESTION OF
U.S. SUPPORT FOR SOVIET CANDIDATE FOR A DEPUTY DIRECTOR
GENERAL'S POST, EMBASSY SHOULD INDICATE THAT USG HAS
RECEIVED NO INFORMATION FROM WIPO ON ANY CANDIDATE FOR THIS
POST. HOWEVER, IF A SOVIET NATIONAL SHOULD BE A CANDI-
DATE FOR THE POST, THE USG WOULD GIVE THE FULLEST
CONSIDERATION TO THIS CANDIDACY. ROGERS

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